

AUDREY STRAUSS
United States Attorney for the
Southern District of New York
By: STEPHEN CHA-KIM
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, New York 10007
Telephone: (212) 637-2768
Facsimile: (212) 637-2702
stephen.cha-kim@usdoj.gov

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

-v-

VILLAGE OF AIRMONT,

Defendant.

No. 20 Civ. 10121 (NSR)

DECLARATION OF STEPHEN CHA-KIM

I, STEPHEN CHA-KIM, pursuant to 28 U.S.C. § 1746 declare as follows:

1. I am an Assistant United States Attorney in the office of Audrey Strauss, United States Attorney for the Southern District of New York. I represent Plaintiff the United States of America (the “Government”) in this action and I submit this declaration in support of the Government’s motion for a preliminary injunction.

2. Attached hereto as Exhibit 1 are excerpts from what is copy of the Village of Airmont’s Zoning Code as enacted in 1997, as obtained from the docket of *Congregation of Ridnik v. Vill. of Airmont*, No. 18 Civ. 11533 (NSR), Dkt. No. 65-2, where it was appended to the Declaration of Counsel to the Village of Airmont attesting to their identity.

3. Attached hereto as Exhibit 2 is a true and correct copy of a Stipulation and Order as executed by the parties in *United States v. Village of Airmont*, 91 Civ. 8453 (CM) (S.D.N.Y.), and attached thereto as Exhibit A, a copy of an unexecuted proposed Stipulation and Order.

4. The document referenced above in Paragraph 3 is not accessible on the Court's ECF's system. I previously spoke by telephone with a staff member of the Clerk of Court's office, who stated to me that given the age of the case, the records reflected on the docket entries are not viewable online and physical copies thereof were routinely destroyed.

5. Attached hereto as Exhibit 3 are excerpts from what is copy of the Village of Airmont's Zoning Code as enacted in 2007, as obtained from the docket of *Congregation of Ridnik v. Vill. of Airmont*, No. 18 Civ. 11533 (NSR), Dkt. No. 65-7, where it was appended to the Declaration of Counsel to the Village of Airmont attesting to their identity.

6. Attached hereto as Exhibit 4 is a true and correct copy of the Consent Decree entered by the Court in *United States v. Village of Airmont*, 05 Civ. 5520 (LAK) (S.D.N.Y.).

7. Attached hereto as Exhibit 5 is a true and correct copy of Local Law No. 1 of 2017 of the Village of Airmont.

8. Attached hereto as Exhibit 6 are copies of Resolutions 17-3048, 18-4025, 18-4095, of the Village of Airmont Board of Trustees, as obtained from the docket of *Congregation of Ridnik v. Vill. of Airmont*, No. 18 Civ. 11533 (NSR), Dkt. No. 65-48, where they were appended to the Declaration of Counsel to the Village of Airmont attesting to their identity.

9. Attached hereto as Exhibit 7 are excerpts from what is, upon information and belief, a true and correct copy of the Village of Airmont's Zoning Code as enacted in 2018.

10. Attached hereto as Exhibit 8 are copies of the Minutes of sessions of the Community Design Review Committee of the Village of Airmont, as obtained from the docket

of *Congregation of Ridnik v. Vill. of Airmont*, No. 18 Civ. 11533 (NSR), Dkt. No. 65-23, 65-25, 65-37 – 65-39, where they were appended to the Declaration of Counsel to the Village of Airmont attesting to their identity.

11. Attached hereto as Exhibit 9 is a copy of a letter dated December 27, 2017, sent by the Village of Airmont to Rabbi Moishe Berger, as obtained from the docket of *Congregation of Ridnik v. Vill. of Airmont*, No. 18 Civ. 11533 (NSR), Dkt. 65-32, where it was appended to the Declaration of Counsel to the Village of Airmont attesting to its identity.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 12, 2021

/s/ Stephen Cha-Kim
STEPHEN CHA-KIM
Assistant United States Attorney